

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: August 10, 2021

Time: 8:00-9:03 am

Judge: Edward J. Davila

Total Time: 1 Hr. 3 Mins.

Case No.: [18-cr-00258-EJD-1](#)

Case Name: UNITED STATES v. Elizabeth Holmes (NP), Ramesh Sunny Balwani (NP)

Attorney for Plaintiff: Jeffrey Schenk, John Bostic, Robert Leach, Kelly Volkar

Attorney for Defendant: John Cline, Jeffrey Coopersmith, Stephen Cazares, Amy Walsh

Attorney for Intervenor Dow Jones Company: Steven Zansberg

Deputy Clerk: Adriana M. Kratzmann

Court Reporter: Irene Rodriguez

Interpreter: N/A

Probation Officer: N/A

PROCEEDINGS – STATUS HEARING RE INTERVENOR MOTION [881]
Via Zoom Webinar Remotely Due to COVID19

Defendants' appearance WAIVED pursuant to waivers filed (Dkt. Nos. 903 and 904 filed 8/10/2021). Hearing held.

The Court instructs the courtroom deputy to provide (via email) counsel for the government and defendants with a SEALED list of the documents related to Defendant's Balwani's motion to sever and USA's motion for examination 12.2 of Defendant Holmes.

The Court requests the parties to review the related documents and provide the court with their proposed redactions of the documents at issue. Counsel shall submit those redactions via email to the courtroom deputy.

The Court set the following briefing schedule re the motion [881]: Opposition deadline 8/20/2021 by close of business (5pm). Reply due 8/24/2021 by close of business (5pm). The Court set a hearing on Intervenor's Motion [881] for Thursday, August 26, 2021 at 11:30 a.m. (special set) to be held via Zoom webinar remotely.

CASE CONTINUED TO: August 26, 2021 11:30 A.M. for Hearing on Intervenor's Motion to Unseal Judicial Records.

Cont'd next page

P/NP: Present, Not Present

C/NC: Custody, Not in Custody

I: Interpreter


Adriana M. Kratzmann
Courtroom Deputy
Original: Efiled
CC:

Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable decisions interpreting *Brady*, the government has a continuing obligation to produce all information or evidence known to the government that is relevant to the guilt or punishment of a defendant, including, but not limited to, exculpatory evidence.

Accordingly, the Court Orders the government to produce to the defendant in a timely manner all information or evidence known to the government that is either: (1) relevant to the defendant's guilt or punishment; or (2) favorable to the defendant on the issue of guilt or punishment.

This Order is entered under Rule 5(f) and does not relieve any party in this matter of any other discovery obligation. The consequences for violating either this Order or the government's obligations under *Brady* include, but are not limited to, the following: contempt, sanction, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges.

EXCLUDABLE DELAY: Previously ordered by the Court

Ends – 8/31/2021

P/NP: Present, Not Present
C/NC: Custody, Not in Custody
I: Interpreter


Adriana M. Kretzmann
Courtroom Deputy
Original: Efiled
CC: